

### **REMARKS**

Applicant has reviewed and considered the Office Action mailed on November 3, 2004.

No claims were amended, canceled, or added. Claims 1-8 and 43-76 are pending in this application.

#### **Double Patenting Rejection**

Claims 1-8 and 43-76 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-33 of Arquilevich, et al. U.S. Patent No. 6,655,778.

In response, Applicant respectfully submits a Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv), provided herewith, to overcome the obviousness-type double patenting based on U.S. Patent No. 6,655,778 to Arquilevich, et al.

Applicant respectfully requests reconsideration and allowance of claims 1-8 and 43-76.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 28<sup>th</sup> day of December, 2004.

Sarah L. Reinhard  
Name  
Sarah J. Reinhard  
Signature

Respectfully Submitted,  
Dan Arquilevich, et al.

By their Representatives,  
BROOKS & CAMERON, PLLC  
1221 Nicollet Avenue, Suite 500  
Minneapolis, MN 55403

By: Jeffery L. Cameron  
Jeffery L. Cameron  
Reg. No. 43,527

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